

Appln. No. 09/557,980
Amendment dated May 4, 2004
Reply to Office Action of March 4, 2004

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The March 4, 2004 Office Action and the Examiner's comments have been carefully considered. In response, claims are cancelled and added, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The new claims are supported by the application as originally filed. Therefore, no new matter is added.

CLAIM OBJECTIONS

In the Office Action claims 1, 10 and 14 are objected to because of certain informalities. Claims 1, 10 and 14 are cancelled in this response, thereby rendering the objection to claims 1, 10 and 14 moot.

REJECTIONS UNDER 35 USC 112

In the Office Action claims 2, 3 and 6 are rejected under the second paragraph of 35 USC 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claims 2, 3 and 6 are cancelled in this response, thereby rendering the rejection under the second paragraph of 35 USC 112 moot.

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PRIOR ART REJECTIONS

In the Office Action claims 1-15 are rejected under 35 USC 102(b) as being anticipated by USP 5,778,072 (Samar). Claims 1-15 are cancelled in this response, thereby rendering the rejection under 35 USC 102 moot.

In response to the prior art rejection, new claims 16-23 are added. New claim 16 is directed to a system which includes a database distribution apparatus (1) configured to write various types of databases in a portable recording medium (3) and a portable terminal apparatus (2) configured to execute data processing by accessing a database written in the recording medium while the recording medium is set in the terminal apparatus (2). The database distribution apparatus includes database storing means (5, 6) for storing a plurality of databases, identification information memory means (9, 7) for storing identification information corresponding to terminal identification information pre-stored in the portable terminal apparatus while associating the information to a plurality of portable terminal apparatus, respectively and grouping the identification information into a plurality of groups. The database distribution apparatus also includes distribution means (steps A18 to A24) for, when writing a database to a plurality of recording mediums to which the database are distributed, reading

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the identification information contained in a group selected from a plurality of groups, from the identification information memory means, reading a database to be utilized in a portable terminal device of the selected group, and writing the read identification information and databases consecutively to said plurality of recording mediums set in the portable terminal apparatus.

The portable terminal apparatus includes judging means (step B5) for, when accessing the database, reading the identification information written in the recording medium set in the portable terminal apparatus and judging whether the portable terminal apparatus contains identification information corresponding to terminal identification information pre-stored in the portable terminal apparatus itself, and processing means (step B6) for executing an accessing process to the database written in the memory medium when the judgment means judges that the corresponding identification information is contained.

In rejecting the present application the Examiner relies on upon USP 5,778,072 (Samar). Samar discloses a technique used to authenticate a smart card with user key data. This reference makes no mention of a technique related to a database distribution apparatus that writes various types of databases to a recording medium, or a technique of writing identification information to a recording medium to which the database is

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written so that the medium can be used only by a plurality of portable terminal apparatus, especially those belonging to the same group.

That is, the present claimed invention as defined by independent claim 16 is patentable over the cited references because the references do not disclose, teach or suggest, inter alia:

a data distribution apparatus including database storing means for storing a plurality of databases, identification information memory means for storing identification information corresponding to terminal identification information pre-stored in the portable terminal apparatus while associating the information to a plurality of portable terminal apparatus, respectively, and grouping the identification information into a plurality of groups and distribution means for, when writing a database to a plurality of recording mediums to which the database are distributed, reading the identification information contained in a group selected from a plurality of groups, from the identification information memory means, reading a database to be utilized in a portable terminal device of the selected group, and writing the read identification information and databases consecutively to said plurality of recording mediums set in the portable terminal apparatus (see claim 16, lines 7-24).

Independent claims 18, 19, 22 and 23 are patentable over the cited reference for reasons, inter alia, set forth above in connection with claim 16.

Claims 17, 20 and 21 are dependent on claims 16 and 18 and are patentable over the cited references in view of their dependence on claim 16 or 18 and because the reference does not

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disclose, teach or suggest each of the limitations set forth in claims 17, 20 and 21.

It is respectfully believed that no additional fees are due for the presentation of claims 16-23 because the highest number of claims for which payment was previously made was ten (10) independent claims and twenty (20) total claims, and the present application includes less than ten (10) independent claims and twenty (20) total claims. However, if any additional fees are due, please charge our Deposit Account No. 06-1378 for such sum.

* * * * *

Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

May. 4. 2004 2:58PM


FRISHAUF & PARTNERS

No. 1410 P. 16/16

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If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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